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R E M A R K S

Reconsideration of the present application in view of the amendments and following remarks is respectfully requested. Claims 1, 7 and 13 have been amended. Eighteen claims are pending in the application: Claims 1 through 18.

35 U.S.C. § 103

4. Claims 1-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,161,132 (*Roberts et al.*) in view of U.S. Patent No. 6,263,505 (*Walker et al.*).

The Examiner asserts that *Roberts et al.* disclose all of limitations of Applicants' claims 1, 7 and 13 except for "allowing the information to be downloaded utilizing the network for playback of said event and said downloaded information after the simultaneous playback." The Examiner further asserts that *Walker et al.* disclose the limitation of "allowing the information to be downloaded utilizing the network for playback of said event and said downloaded information after the simultaneous playback."

Applicants have amended claims 1, 7 and 13 in order to clarify the difference between Applicants' invention and the combination of *Roberts et al.* and *Walker et al.* Specifically, claims 1, 7 and 13 have been amended to recite "<u>storing content and timing information transmitted during the simultaneous playback of the event at the host computer</u>; and allowing the <u>content and timing</u> information to be downloaded utilizing the network for playback of said event and said downloaded <u>content and timing</u> information after the simultaneous playback."

Roberts et al. disclose a system for playing a CD on multiple clients at the same time. Additionally, users can enter a chat room and talk about the CD while one of the tracks is playing. However, *Roberts et al.* do not disclose, nor provide any motivation for later playing back the CD including, for example, any chat that took place during the earlier playback. Additionally, *Roberts et al.* do not disclose saving the chat that took place during the simultaneous event on the server.

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     Walker et al. disclose a system for synchronizing web content with a movie or show stored on a video tape or other medium. As the Examiner pointed to in the present office action, the system includes program identification information and synchronization information. In operation, the program identification information and synchronization information are provided from a client device to a server. The server then uses the program identification information and synchronization information to provide additional content to the client that is related to the movie or show stored on, e.g., the video tape.

     In contrast, Applicants' amended claims recite "storing content and timing information transmitted during the simultaneous playback of the event at the host computer; and allowing the content and timing information to be downloaded utilizing the network for playback of said event and said downloaded content and timing information after the simultaneous playback." Thus, the host computer stores the content, e.g., chat or overlays, that took place during a simultaneous playback of an event and also stores timing information associated with the simultaneous playback. The content and timing information is then allowed to be downloaded for playback of the event stored at the client apparatus and playback of the content and timing information. Advantageously, a viewer can later view what took place during the simultaneous playback. This includes playback of the event at the client apparatus and also playback of the content that was transmitted during the simultaneous playback. This allows a viewer to experience the simultaneous playback at a later time as if they were part of the original simultaneous playback.

     Roberts et al. and *Walker et al.* do not, individually or in combination, teach or suggest "<u>storing content and timing information transmitted during the simultaneous playback of the event at the host computer</u>," such as is claimed by Applicants. *Walker et al.* simply teach a system for synchronizing content with a pre-recorded video. While *Walker et al.* disclose storing information on a sever that can be synchronized with a video, there is no teaching or suggestion of storing content at a host computer that was transmitted during a simultaneous playback of an event. *Roberts et al.* teach a system for simultaneous playback, however, similarly do not teach or suggest storing content or

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timing information at a host computer <u>that was transmitted during a simultaneous</u> <u>playback.</u>

Therefore, the combination of *Roberts et al.* and *Walker et al.* do not make out a prima facie case of obviousness as *Roberts et al.* and *Walker et al.* do not show elements claimed by Applicants. Furthermore, there is provided no motivation to modify *Roberts et al.* to include playback of said event and said downloaded content and timing information after the simultaneous playback, such as is claimed by Applicants. For example, *Roberts et al.* provides no motivation for storing, e.g., the chat that takes place during the playback of a CD, at the host and allowing this information later to be downloaded.

Thus, for all of the reasons stated above Applicants respectfully submit the rejection is overcome and claims 1-18 are in condition for allowance.

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CONCLUSION

In view of the above, Applicants submit that the pending claims are in condition for allowance, and prompt and favorable action is earnestly solicited. Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Thomas F. Lebens at (805) 781-2865 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,

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